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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,285	02/06/2004	Serafim Bochkarev	1793.1114	4961

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EXAMINER	
FATEHI, PARHAM R	

ART UNIT	PAPER NUMBER
2146	

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/772,285	BOCHKAREV ET AL.	
	Examiner	Art Unit	
	Parham (Paul) R. Fatehi	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02/06/2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *05/04/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-12 are pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on February 6, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

3. The disclosure is objected to because of the following informalities:

- Title is greater than 50-character limit.
- page 12, line 5-6 "first number of bits device driver to display a second" is awkward wording.

Appropriate correction is required.

Claim Objections

4. Claim 4 objected to because of the following informalities:

- Claim 4, line 10 "corresponding the". Suggested: "corresponding to the".
- Claim 4, line 1, "An apparatus displaying according to dialogue window information a device dialogue window included in a device control portion, the apparatus comprising" has awkward wording.
- Claim 6, line 6 "32 page" is missing "bit". Suggested "32 bit page"

- Claim 12, line 9 "deriver". Suggested "driver"

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being taught by Eisler et. Al (US Patent No. 5,964,843) herein referred to as Eisler.

As per Claim 1, Eisler discloses:

- **a method of displaying a dialogue window of a device performed by a device control portion, the method comprising** (col. 7 ln 29-45, a peripheral display device can be accessed, a change in one or more display settings can be invoked including the display of a dialogue window)
- **requesting an operating system supporting a 16 bit device control portion to display a 32 bit dialogue window for exchange of information between a user and a predetermined device** (col. 11, ln. 9-20 & col. 11, ln. 59-65, a 16-bit application requests the system to display 32-bit dialogue on the predetermined display device for exchange of information between user and display device)

- **receiving 16 bit dialogue window information of the device from the operating system** (Fig. 4 & 5 / col. 11, ln. 59-65, 16-bit information, inherently including dialogue window information, is received from OS)
- **converting the received 16 bit dialogue window information to 32 bit dialogue window information** (col. 12 ln. 18—22, driver creates 32-bit pointer from the 16-bit pointer)
- **displaying the 32 bit dialogue window corresponding to the converted 32 bit dialogue window information** (col. 14, ln.42 – 58, "one embodiment of the invention has been developed for a display device wherein the converted 32-bit information was displayed").

As per Claim 2, Eisler discloses:

- **converting comprises: generating 32 bit base dialogue window information having no content of the 32 bit dialogue window; and modifying the 16 bit dialogue window information to the converted 32 bit dialogue window information, in response to the 32 bit base dialogue window information** (col. 11, ln. 9 – 20 & col. 14, ln 42 – 58, the system generated 32-bit enhancement from the initial 16-bit information, and inherently the 32-bit content did not exist until the 32-bit enhancement was generated [conversion occurred]).

As per Claim 3, Eisler discloses:

- **The 16 bit dialogue window information comprises a plurality of 16 bit dialogue window page information and the displaying comprises**

displaying as the converted 32 bit dialogue window page information, converted 32 bit page information in response to a request by the user for one of the 16 bit dialogue window page information in the 32 bit dialogue window (col. 7 ln 29 – 45 & col. 11, ln. 9 – col. 12 ln. 23, the 16 bit information can be a game or other 16 bit application, and therefore can consist of a plurality of window page information as claimed and displaying comprises displaying the 32-bit converted information in response to a user's request for the 16-bit information).

As per Claim 4, Eisler discloses:

- **a first interface portion receiving 16 bit dialogue window information of the device from a first operating system supporting a 16 bit device control portion** (Fig. 4 & 5 / col. 11, ln. 59-65, 16-bit information, inherently including dialogue window information, is received from OS);
- **a second interface portion receiving 32 bit dialogue window information of the device from a second operating system supporting a 32 bit device control portion** (col. 11, ln. 9 –20, a second interface portion [32-bit driver] receives 32-bit information from an operating system);
- **a bit converting portion converting the received 16 bit dialogue window information to converted 32 bit dialogue window information and outputting the converted 32 bit dialogue window information** (col. 12 ln. 18 – 22, driver creates 32-bit pointer from the 16-bit pointer & col. 14, ln.43 – 53, the converted 32-bit information is outputted for display on device);

- **A dialogue window display portion displaying a 32-bit dialogue window corresponding to the converted 32 bit dialogue window information** (col. 14, ln.45 – 50, the converted 32-bit information is outputted for display on device.

As per Claim 5, Eisler discloses:

- **a base dialogue window generating portion generating a 32 bit base dialogue window information having no content of the 32 bit dialogue window and outputting the generated 32 bit base dialogue window information** (col. 11, ln. 9 – 20 & col. 14, ln 45 – 50, the 32-bit content did not exist until the system generated 32-bit enhancement from the initial 16-bit information);
- **a data modification portion modifying the received 16 bit dialogue window information to the converted 32 bit dialogue window information and outputting the converted 32 bit dialogue window information to the dialogue window display portion to display the 32 bit dialogue window corresponding to the converted 32 bit dialogue window information, in response to the 32 bit base dialogue window information** (col. 12 ln. 18 - 22, driver creates 32-bit pointer from the 16-bit pointer & col. 14, ln. 13 – 45, the converted 32-bit information is outputted for display on device).

As per Claim 6, Eisler discloses:

- **the dialogue window display portion displays as the converted 32 bit dialogue window information, converted 32 bit page information or 32**

bit page information, in response to a request by a user for one of the dialogue window page information by requesting the bit converting portion or the second interface portion to provide the converted 32 [bit] page information or the 32 bit page information, respectively. (col. 11 ln. 59 – col. 12. ln. 23, the peripheral display displays the converted 32-bit information in response to user requests or either system interface [driver]).

As per Claim 7, Eisler discloses:

- **the bit converting portion, in response to a request by the dialogue window display portion for a converted 32 bit dialogue window page information as the converted 32 bit dialogue window information, requests the first interface portion to provide one of the 16 bit dialogue window page information of the 16 bit dialogue window information, converts the requested 16 bit dialogue window page information to the converted 32 bit page dialogue window information, and outputs the converted 32 bit page information to the dialogue window display portion** (col. 12. ln. 18 – 22 & col. 16 ln. 20 – 24, when the 32-bit information is requested, the original 16-bit information will be passed to the first of the two interfaces [drivers], since only the first of the two can handle the 16-bit information and this first interface will convert the 16-bit information to 32-bit information and will output the converted 32-bit information).

As per Claim 8, it is a system claim with the same limitations as in the method Claim 1, and is therefore rejected under the same reasons.

As per Claim 9, Eisler discloses:

- **a machine readable data storage storing a device driver program controlling the computer to interface with a device of the computer, according to a process comprising** (col. 7, ln. 6 – 28, "the system provides device drivers and device interface for improved use of hardware peripherals [inherently including displaying a window]");
- **enabling an interface to input device driver dialogue window information, based upon a number of bits supported by an operating system** (col. 7, ln. 6 – 45, interface inputs device driver information based upon system's supported number of bits);
- **and displaying the device driver dialogue window corresponding to the input device driver dialogue window information according to the enabled interface** (col. 7, ln. 6 – 45, information [such as dialogue window information] can be displayed corresponding to the input information according to the enabled interface).

As per Claim 10, Eisler discloses:

- **displaying a device driver dialogue window of a device using a single multi-enabled operating system interface device driver, thereby displaying the device driver dialogue window regardless of an operating system type** (col. 10, ln. 54-56, "the two drivers are likely provided as a single driver component" / see Abstract, regardless of which operating system

is used, 16-bit and 32-bit information can be processed, and displayed, by the system).

As per Claim 11, Eisler discloses:

- **a machine readable data storage storing a device driver program controlling a computer to display a device driver dialogue window to interface with a device, according to a process comprising** (col. 7, ln. 6 – 28, "the system provides device drivers and device interface for improved use of hardware peripherals [inherently including displaying a window]");
- **enabling an interface to input device driver dialogue window information, based upon a number of bits supported by an operating system** (col. 7, ln. 6 – 45, interface inputs device driver information based upon system's supported number of bits);
- **and displaying the device driver dialogue window corresponding to the input device driver dialogue window information according to the enabled interface** (col. 7, ln. 6 – 45, information [such as dialogue window information] can be displayed corresponding to the input information according to the enabled interface).

As per Claim 12, Eisler discloses:

- **enabling a first number of bits interface or a first number of bits converter interface to the input device driver dialogue window information, based upon the number of bits supported by the operating system, receiving, by the first number of bits converter interface, a first**

number of bits dialogue window information of the device from the operating system (col. 12 ln. 18 – 22 & col. 16 ln. 20 – 24, when the 32-bit information is requested, the original 16-bit information will be passed to [enabling] the first of the two interfaces, since only the first of the two can handle the 16-bit information and this first interface will convert the 16-bit information to 32-bit information and will output the converted 32-bit information);

- **converting, by the first number of bits converter interface, the received first number of bits dialogue window information to a second number of bits dialogue window information** (col. 12 ln. 18 – 22 & col. 16 ln. 20 – 24, , driver creates 32-bit pointer from the 16-bit pointer);
- **and displaying the device deriver dialogue window corresponding to the converted second number of bits dialogue window information** (col. 14, ln.42 – 58, "one embodiment of the invention has been developed for a display device wherein the converted 32-bit information was displayed").

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Parham (Paul) R. Fatehi whose telephone number is 571-272-1407. The examiner can normally be reached on M-Th 7:30AM-5PM EST, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chameli Das can be reached on (571)272-3696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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